



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,937	05/05/2000	ALEKSANDR FYEDOROVICH LUKIN	VISP-2	6347

7590 05/13/2004

J HAROLD NISSEN
LACHENBACK SIEGEL MARZULLO ARONSON & GREENSPAN
ONE CHASE ROAD
PENTHOUSE SUITE
SCARSDALE, NY 10583

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
----------	--------------

2643

29

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/530,937

Applicant(s)

LUKIN, ALEKSANDR
FYEDOROVICH

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/5/2004 (paper no. 28) has been entered.

Response to Amendment

2. This office action is in response to the amendment filed 3/4/2004 (paper no. 25).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiyama (JP 09098227A) in view of Stovall (US PAT. 6,144,724) and Skigin et al. (RU PAT. 2,105,425 hereinafter Skigin).

Art Unit: 2643

Regarding claim 1, Hiyama discloses a telephone network for a structured site as shown in figure 1 comprising a common bus (101, figure 1) of a local computer network, i.e., LAN, connecting computer at the transmitting and receiving ends of the telephone network for a structural site and telephone sets connected to the telephone network to provide telephone communication between the parties at the transmitting and receiving ends through the local computer network, wherein it is provided with a computer telephony server (12, figure 3) connected to the local network and to a general telephone network (14, figure 3), wherein each telephone set is provided with an interface (3, figure 1), each telephone set interface being connected directly to the local computer network and being able to convert analog and digital signals, user call signals into addresses of other interface and hang up signals (abstract and detailed description). Hiyama differs from the claimed invention in not specifically teaching the telephone sets can communicate with each other without computers by the telephone sets connected to local computer network. However, Stovall teaches a network interface (125 or 135, figure 1) comprising a network interface microcontroller communicatively data between telephone (120, figure 1) and target telephony device (130, figure 1) over a digital network, i.e., a local computer network (110, figure 1), without computers in order to compatible with digital network transmission protocol (col. 2 lines 30-56 and col. 3 lines 14-44). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Hiyama in having the network interface integrated in the telephone sets for communicating with each other without computers by the telephone sets connected to local computer network, as per teaching of Stovall, in order to compatible with digital network transmission protocol. Furthermore, neither Hiyama nor

Art Unit: 2643

Stovall teaches to convert analog signal to and from digital signal adapted to the clock frequency of the local computer network. However, it is notoriously well known in the art of an interface designed as an analog-digital signal converter adapted to the clock frequency of the local network in order to allow the same channels to be used to transmit computer data and to maintain voice communication, for example see Skigin (entire patent). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Hiyama and Stovall in having the interface in converting analog-digital signals adapted to the clock frequency of the local network, as per teaching of Skigin, because it makes the communication process simpler and cutting its costs.

Regarding claim 2, Stovall teaches computer (160, figure 1) connected to the telephone network being provided with multimedia hardware and software to allow direct voice telephone communication (col. 3 lines 36-44).

Regarding claim 3, Hiyama discloses the telephone interface to allow exchange of digital data to be effected within the framework of common network protocol (abstract). The combination of Hiyama and Stovall differs from the claimed invention in not specifically teaching a particular combination of elements including a signal-distributor, a tone dialing recognition device, a recognized number transmission device, a compressor, a voice and tone signal transmission priority device, a voice signal transmitter, and a decompressor in the telephone adapter. However, Skigin discloses the telephone adapter comprising a transmitting and receiving ends, wherein the transmitting ends has a signal detector-distributor with an input connected to a telephone set, a first output of said signal detector-distributor being connected to the input of a tone dialing recognition device

Art Unit: 2643

having its output connected to the input of a recognized number transmission device, which has its output connected to the local computer network, a second output of the signal detector-distributor being connected to the input of an analog-to-digital converter having its output connected the input of a compressor whose output is connected to a processor unit and the reception channel having a voice and tone signal transmission priority device having its output connected to the telephone set and a first input connected to the output of a call signal dialer, whose input is connected to a call number data converter having its input connected to the local computer network through the network adapter, a second input of the voice and tone signal transmission priority device being connected to the output of a voice signal transmitter, whose input is connected to the output of a decompressor having its input connected to the processor unit (entire patent). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Hiyama and Stovall in having the telephone adapter with a structure as taught by Skigin because it provides new opportunities for signal transmission and reception using general-purpose equipment.

Regarding claim 4, Stovall discloses that the processor unit (220, figure 2) comprising a central processor (230, figure 2), connected to digital data input-output device (250, figure 2), and to a stored program memory and a random access memory (240, figure 2) to allow exchange of digital data to be effected within the framework of common network protocol (detailed description).

Regarding claim 5, the limitations of the claim are rejected as the same reasons as set forth in claim 1. In addition, Hiyama also discloses to maintain telephone communication between remote structure sites with the structure site (figure 3) such that

Art Unit: 2643

it recognizes the local computer network of each remote site is being provided with a router connected thereto and to a router of the local computer network of at least one other site through communication channel of the computer networks of the remote structure sites.

Regarding claim 6, the limitations of the claim are rejected as the same reasons as set forth in claim 2.

Regarding claim 7, the limitations of the claim are rejected as the same reasons as set forth in claim 3.

Regarding claim 8, the limitations of the claim are rejected as the same reasons as set forth in claim 4.

Regarding claim 9, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 10, the limitations of the claim are rejected as the same reasons set forth in claim 3.

Regarding claim 11, the limitations of the claim are rejected as the same reasons set forth in claim 4.

Regarding claim 12, the limitations of the claim are rejected as the same reasons set forth in claim 2.

Response to Arguments

5. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

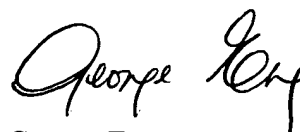
Art Unit: 2643

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Eng
Primary Examiner
Art Unit 2643